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RHEHNSC/NSC WASHDC
RHEFDIA/DIA WASHDC
RHHMUNA/HQ USPACOM HONOLULU HI
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RHFJSCC/COMMARFORPAC
RUCPDOG/DEPT OF COMMERCE WASHINGTON DC
RUEATRS/DEPT OF TREASURY WASHINGTON DC
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TAGS: [PHUM](#) [PGOV](#) [TH](#)
SUBJECT: TAK BAI: GOVERNMENT DROPS CHARGES AGAINST
PROTESTERS

REF: 2004 BANGKOK 07391 (GROWING DEATH TOLL)

Classified By: Political Counselor Susan M. Sutton

11. (U) On November 3, the Office of the Attorney General (OAG) announced that it has dropped all charges against 81 protesters involved in the October 2004 Tak Bai demonstrations (see reftel). The OAG cited a lack of sufficient evidence as its rationale for dropping charges. Initially, charges were filed against 99 protesters for crimes ranging from obstructing government officials to assembling to breach the peace. Since then, nine defendants have died, nine others plead guilty and were released with 2 years probation, and over 20 suspects remain at-large.

12. (U) In April 2006, a trial began in Narathiwat provincial court for 58 of the defendants. During the year, the trial was delayed multiple times due to the failure of key prosecution witnesses (including high-ranking police and military officers) to appear in court at their designated times. The government took no action against these witnesses for their failure to appear in court. (Note: Over the course of the year, two of the 58 defendants died and one additional defendant was added to the proceedings meaning that, as of November 3, 57 persons were standing trial. All defendants were free on bail during the trial. End note.)

13. (U) The OAG order to drop charges is due to be received in the Narathiwat provincial court on November 6. At that time, the court proceedings that had been scheduled to continue through July 2007 are expected to be canceled.

14. (C) The decision to drop charges against the Tak Bai defendants, made on the heels of interim PM Surayud's public apology for government abuses in the south, has been received with general approval from human rights activists. Still, some point out that, though this is a positive development, it does not address the root causes of injustice in the southern provinces. They note that none of government security officers implicated in the deaths of protesters and detainees during the Tak Bai incident have faced charged. One human rights defender who is in contact with several of the defendants' families said that there is now discussion among the families of filing charges against the government prosecutors and police officials who initially sought charges against them. He observed that the government's reaction to

this potential situation will be, perhaps, a better indication of a change in attitude toward the situation in the south.

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